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GEI-078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michel Lanquetin, et al.
Serial No.: 09/646,763
Filed: October 24, 2000
For: TOPICAL... ACTION

: Group: 1617
:
: Examiner: Hui, San Ming R
:
:

Hedman and Costigan
1185 Avenue of the Americas
New York, NY 10036
March 18 2008

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of March 13, 2008 in the above application requesting an additional fee of \$590, the undersigned is submitting herewith PTO Form 2038 for \$590 for the additional extension fee and a copy of the Notice.

Respectfully submitted,



Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 212 302 8989

CAM:mlp
Enclosures

03/19/2008 RFEKADUI 00000015 09646763

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NEW YORK, NY 10036

CHARLES A. MUSERLANI
Paper No.

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Application No.:	09/646,763	Date Mailed:	03/13/2008
First Named Inventor:	Lanquctin, Michel,	Examiner:	HUI, SAN MING R
Attorney Docket No.:	GEI-078	Art Unit:	1617
Confirmation No.:	8985	Filing Date:	10/24/2000

Please find attached an Office communication concerning this application or proceeding.

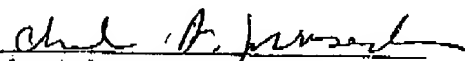
4/13/08

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.


Charles A. Muserlian #19,683

3-18-08

Serial No.: 09/646,763
Group: 1617

GEI-078

**NOTICE REQUIRING EXCESS CLAIMS
FEES**

Application No.

09/646,763

Applicant(s)

LANQUETIN ET AL.

Art Unit

3998

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The excess claim(s) filed on 11 March, 2008 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$_____, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid **ABANDONMENT**. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. _____ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account _____ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☐ 4. The fee submitted in this application is insufficient. A balance of \$_____ is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due): A additional fee of \$590 is due for four months of extension.

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Technical Support Staff (TSS): /JULIET MCMILLAN/ Phone Number: (571)272-1598

Note to TSS: Please do NOT use this notice if the application is under a final rejection.